

REMARKS

Priority

In the Office Action of October 14, 2003, the Examiner did not indicate that any of the certified copies of the priority documents have been received. Applicant submits that all copies of the priority documents were transmitted with the parent application on October 6, 1999 and respectfully request that the Examiner indicate this in the next Office Action.

IDS

Applicant submitted an IDS with PTO form 1449 and enclosed references on December 7, 2001. Applicant, however, did not receive a copy of the initialed 1449 in the Office Action of October 14, 2003. Applicant encloses a copy of the IDS with PTO form 1449 and respectfully requests that the Examiner return an initialed copy in the next Office Action.

Rejection of Claims

In the Office Action, pending Claims 3-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kim (U.S. Patent 6,337,292) in view of Miyasaka (U.S. Patent 6,444,507). Applicant traverses the rejection.

Applicant submits that the U.S. filing date of the Kim patent is October 29, 1999. However, Applicant submits that as the instant application is a divisional of an earlier U.S. application (Application Serial No. 09/413,653 now U.S. Patent 6,355,943) and the requirements of 35 U.S.C. §120 and 365(c) have been satisfied, the effective filing date is the same as the filing date of the parent application. The U.S. filing date of the parent application is October 6, 1999, which antedates the U.S. filing date of the Kim patent.

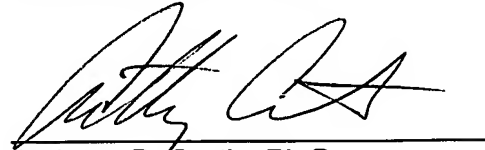
Applicant thus submits that Kim may not be considered as a reference and submits that the rejection to Claims 3-4 must be withdrawn in the next Office Action.

Conclusion

In view of the amendments above, Applicant respectfully submits that all of the pending claims are in condition for allowance and seeks an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next

Office Action and believes that a telephone interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anthony P. Curtis', written over a horizontal line.

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